

Introduced by Senator Morrow

December 6, 2004

Senate Constitutional Amendment No. 1— A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 7.5 to Article I of the California Constitution, relating to marriage.

LEGISLATIVE COUNSEL'S DIGEST

SCA 1, as introduced, Morrow. Marriage.

Existing statutory law provides that marriage is a personal relation arising out of a civil contract between a man and a woman. Existing statutory law further provides that only marriage between a man and a woman is valid or recognized in California.

This measure would amend the California Constitution to provide that only marriage between a man and a woman is valid or recognized in California, as specified. The measure would further limit the provision of the rights, responsibilities, benefits, and obligations of marriage to a man and a woman, as specified.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

- 1 *Resolved by the Senate, the Assembly concurring,* That the
- 2 Legislature of the State of California at its 2004-05 Regular
- 3 Session commencing on the sixth day of December 2004,
- 4 two-thirds of the membership of each house concurring, hereby
- 5 proposes to the people of the State of California, that the
- 6 Constitution of the State be amended as follows:
- 7 That Section 7.5 is added to Article I thereof, to read:

1 SEC. 7.5. (a) Only marriage between a man and a woman is
2 valid or recognized in California, whether contracted in this state
3 or elsewhere.

4 (b) The rights, responsibilities, benefits, and obligations of a
5 marriage shall only be granted, bestowed, and conferred upon a
6 man and a woman joined in a valid marriage, and may not be
7 conferred upon any other union or partnership.